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Counsel for Plaintiff United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FREDI ARMANDO ARRAZOLA-ACOSTA,

Defendant.

2:16-CR-00240-GMN-CWH
2:16-CR-00317-APG-NJK

JOINT MOTION TO CONSOLIDATE

The United States, by Daniel G. Bogden, United States Attorney, and Kathryn C. Newman, Assistant United States Attorney, and Brian Pugh, counsel for defendant Fredi Armando Arrazola-Acosta, jointly move the Court to consolidate the above-captioned cases under a single case number, as set forth below:

1. On or about March 2, 2015, the defendant was judged guilty and sentenced in the United States District Court for the District of Arizona. *United States v. Arrazola-Acosta*, CR-14-01599-001-PHX-SPL. The defendant was charged with Re-entry of Removed Alien in violation of Title 8, United States Code, Section 1326. The defendant was sentenced to nine months in custody and three years of supervised release. One of the conditions of supervised release was that if he was deported, he was not to reenter the United States without legal authorization.

2. On or about August 4, 2016, the defendant was arrested on a warrant issued by this Court following his indictment by the grand jury on charges of Deported Alien Found Unlawfully in the United States, 8 U.S.C. § 1326. *United States v. Arrazola-Acosta*, 2:16-cr-240-GMN-CWH.

3. Based on his presence in the United States and the absence of any evidence of legal permission to reenter, the U.S. Office of Probation filed a petition for revocation of his supervised release in the Arizona case. At the parties' request, jurisdiction for the supervised release violation was transferred to the District of Nevada. *United States v. Arrazola-Acosta*, 2:16-cr-317-APG-NJK. The defendant made his initial appearance on the petition for supervised release violation on November 18, 2016.

3. The parties negotiated a plea agreement, which seeks to resolve both the new charge and the alleged violations of conditions of supervised release as part of a "global resolution." The parties have submitted the plea agreement simultaneously with this joint motion.

4. Because the plea agreement includes a proposed resolution to both the new charge and the alleged violations of conditions of supervised release, and both arise out of the same conduct, the parties respectfully request that the Court enter an Order consolidating these two cases.

DATED this 20th day of December, 2016.

Respectfully submitted,
DANIEL G. BOGDEN
United States Attorney

/s/ Brian Pugh

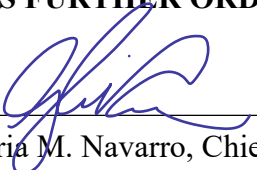
/s/ Kathryn Newman

BRIAN PUGH
Assistant Federal Public Defender
Counsel for Defendant Arrazola-Acosta
Case Nos.: 2:16-cr-240-GMN-CWH;
2:16-cr-317-APG-NJK

KATHRYN C. NEWMAN
Assistant United States Attorney

IT IS SO ORDERED.

IT IS FURTHER ORDERED that 2:16-cr-317 shall be reassigned to Chief Judge Navarro.


Gloria M. Navarro, Chief Judge
United States District Court


Andrew P. Gordon, Judge
United States District Court

Dated this 21 day of December, 2016.

Dated this 21 day of December, 2016.